

08-24-01 A

UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
P-188

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for invention entitled:

Methods for Treatment of Lupus Erythematosus

J1002a g.s. pro
60009/09/9809
08/23/01

and invented by:

Clark M. Whitehead, Keith A. Earle, Hector W. Alila and W. Joseph Thompson

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below

2. Specification having 59 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Microfiche Appendix (*if applicable*)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if drawings filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
a. Formal b. Informal Number of Sheets 13

4. Oath or Declaration
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
c. With Power of Attorney Without Power of Attorney
d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.

6. Computer Program in Microfiche

7. Genetic Sequence Submission (if applicable, all must be included)
a. Paper Copy
b. Computer Readable Copy
c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. Assignment Papers (cover sheet & documents)

9. 37 CFR 3.73(b) Statement (when there is an assignee)

10. English Translation Document (if applicable)

11. Information Disclosure Statement/PTO-1449 Copies of IDS Citations

12. Preliminary Amendment

13. Acknowledgment postcard

14. Certificate of Mailing

First Class Express Mail (Specify Label No.): EF360328485US

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Accompanying Application Parts (Continued)

15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16. Small Entity Statement(s) - Specify Number of Statements Submitted: _____
17. Additional Enclosures (*please identify below*):

Petition to Accept Color Drawings under 37 C.F.R. § 1.84(2); Check in the amount of \$130.00 for the petition fee

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	39	- 20 =	19	x \$9.00	\$171.00
Indep. Claims	5	- 3 =	2	x \$40.00	\$80.00
Multiple Dependent Claims (check if applicable)					\$0.00
				BASIC FEE	\$355.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$606.00

A check in the amount of \$606.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 500352 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of _____ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: August 23, 2001



Signature

Robert W. Stevenson - 31064
Cell Pathways, Inc.
702 Electronic Drive
Horsham, PA 19044

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clark M. Whitehead et al.)

For: Methods for Treatment of Lupus Erythematosus)

CERTIFICATE OF MAILING

I certify that the following were deposited with the U.S. Postal Service "Express Mail No. EF360328485US to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and was addressed to the Assistant Commissioner for Patents, Washington D.C., 20231:

1. Patent Application Transmittal Letter (in duplicate);
2. Patent Application entitled "Methods for Treatment of Lupus Erythematosus" (59 pages with 13 sheets of drawings);
3. Declaration and Power of Attorney;
4. Check in the amount of \$606.00 for filing fees;
5. Recordation of Assignment form;
6. Assignment;
7. Check in the amount of \$40.00 for the assignment fee;
8. Statement Under 37 CFR 3.73(b);
9. Verified Statement Claiming Small Entity Status; (37 CFR 1.9 (f) and 1.27 (c);
10. Petition to Accept Color Drawings;
11. Check in the amount of \$130.00 for the petition fee;
12. Certificate of Mailing;
13. Acknowledgement Postcard.

Date: August 23, 2001

Adrienne Roberts

Send all correspondence to: Robert W. Stevenson
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Horsham, PA 19044
(215) 706-3800